

# HOUSE BILL 475

L2, G1

2lr2096

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By: **St. Mary's County Delegation**

Introduced and read first time: February 2, 2012

Assigned to: Rules and Executive Nominations

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Committee Report: Favorable

House action: Adopted

Read second time: March 19, 2012

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## CHAPTER \_\_\_\_\_

1 AN ACT concerning

2 **St. Mary's County – Redistricting Board – Revisions**

3 FOR the purpose of requiring a Redistricting Board to be appointed in St. Mary's  
4 County following each decennial census of the United States; requiring the  
5 Board to be appointed between certain dates and in the year following each  
6 decennial census; requiring the Board to be composed of certain appointees;  
7 requiring a certain County Commissioner to appoint a person to fill a certain  
8 vacancy; requiring each member of the Board to be a registered voter and a  
9 resident of St. Mary's County; prohibiting a certain person from serving as a  
10 member of the Board; requiring the Board to propose a certain redistricting  
11 plan; requiring the Board to elect a chair and hold certain meetings; authorizing  
12 the Board to solicit advice from certain experts, hold public forums, and request  
13 that the Board of County Commissioners of St. Mary's County provide certain  
14 assistance; requiring that the proceedings and records of the Board comply with  
15 certain laws; requiring the Board to conduct certain public hearings; specifying  
16 that notice of certain hearings be given in accordance with certain  
17 requirements; requiring the Board to prepare and submit a redistricting plan to  
18 the Board of County Commissioners by a certain date and after public hearings  
19 have been held; specifying that a redistricting plan becomes effective for a  
20 certain election a certain number of days after the plan is submitted to the  
21 Board of County Commissioners; providing that a Board appointed before a  
22 certain date is conclusively presumed to have been lawfully constituted and that  
23 a certain redistricting plan is conclusively presumed to have become law; and  
24 generally relating to the Redistricting Board in St. Mary's County.

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 BY repealing

2 The Public Local Laws of St. Mary's County  
3 Section 26-2  
4 Article 19 – Public Local Laws of Maryland  
5 (2007 Edition and January 2011 Supplement, as amended)

6 BY adding to

7 The Public Local Laws of St. Mary's County  
8 Section 26-2  
9 Article 19 – Public Local Laws of Maryland  
10 (2007 Edition and January 2011 Supplement, as amended)

11 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF  
12 MARYLAND, That the Laws of Maryland read as follows:

13 **Article 19 – St. Mary's County**

14 **[26-2.**

15 A. Within one (1) year after the inauguration of the Commissioners  
16 following the 1974 general election, a Redistricting Board shall be created. The Board  
17 shall be composed of one (1) appointee of each County Commissioner, and none shall  
18 be employees of the county. The Board shall convene not later than six (6) months  
19 after appointment to organize and elect a Chairman from among its members.

20 B. The Redistricting Board shall establish the boundaries of the four (4)  
21 Commissioner Districts after due consideration and investigation within reasonable  
22 and lawful guidelines. The Redistricting Board shall set and conduct public hearings  
23 in each of the proposed four (4) Commissioner Districts after tentative district  
24 boundaries have been drawn and defined. Notice of public hearings giving time, date  
25 and place shall be published in two (2) county newspapers ten (10) days prior to the  
26 public hearings. After all public hearings have been held and a final draft of the  
27 redistricting plan has been completed, the Board shall submit the redistricting plan to  
28 the county Commissioners not later than eighteen (18) months from the date of their  
29 first meeting. This plan shall then become law unless the plan is set aside by a court of  
30 law with proper jurisdiction.

31 C. Necessary clerical assistance may be provided to assist the Redistricting  
32 Board by the County Commissioners. Compensation for the members of the  
33 Redistricting Board shall be set by the Board of County Commissioners in an amount  
34 not to exceed twenty-five dollars (\$25.00) per day for each Board member in  
35 attendance.

36 D. The above method of redistricting shall be in force following each general  
37 election after publication of the national census each ten (10) years.]

38 **26-2.**

1           **A. FOLLOWING EACH DECENNIAL CENSUS OF THE UNITED STATES, A**  
2 **REDISTRICTING BOARD SHALL BE APPOINTED. A REDISTRICTING BOARD**  
3 **SHALL BE APPOINTED AFTER JANUARY 1, 2013, AND BEFORE MARCH 1, 2013,**  
4 **AND BETWEEN JANUARY 1 AND MARCH 1 IN THE YEAR FOLLOWING EACH**  
5 **DECENNIAL CENSUS. THE BOARD SHALL BE COMPOSED OF ONE (1) APPOINTEE**  
6 **MADE BY EACH MEMBER OF THE BOARD OF COUNTY COMMISSIONERS. IN THE**  
7 **EVENT OF A VACANCY BY DEATH, RESIGNATION, OR OTHER CAUSE, THE COUNTY**  
8 **COMMISSIONER WHO MADE THE VACATED APPOINTMENT SHALL APPOINT A**  
9 **PERSON TO FILL THE VACANCY. EACH MEMBER OF A REDISTRICTING BOARD**  
10 **SHALL BE A REGISTERED VOTER AND A RESIDENT OF ST. MARY'S COUNTY. NO**  
11 **PERSON HOLDING AN OFFICE OR POSITION OF PROFIT AND TRUST OR**  
12 **EMPLOYEE OF ST. MARY'S COUNTY OR THE STATE OF MARYLAND SHALL BE**  
13 **ELIGIBLE TO SERVE AS A MEMBER OF A REDISTRICTING BOARD.**

14           **B. THE REDISTRICTING BOARD SHALL PROPOSE, AFTER DUE**  
15 **CONSIDERATION AND INVESTIGATION, A REDISTRICTING PLAN DRAWING AND**  
16 **DEFINING REASONABLE AND LAWFUL BOUNDARIES OF THE FOUR (4) DISTRICTS**  
17 **FOR THE SUBSEQUENT ELECTIONS OF COUNTY COMMISSIONERS. THE**  
18 **REDISTRICTING BOARD SHALL ELECT A CHAIR; SHALL HOLD SUCH MEETINGS**  
19 **AS MAY BE NECESSARY; MAY SOLICIT THE ADVICE OF ACADEMIC, LEGAL, AND**  
20 **OTHER EXPERTS; AND MAY HOLD PUBLIC FORUMS. THE REDISTRICTING BOARD**  
21 **MAY REQUEST THAT THE BOARD OF COUNTY COMMISSIONERS PROVIDE SUCH**  
22 **TECHNICAL, ADMINISTRATIVE, AND CLERICAL ASSISTANCE AS THE**  
23 **REDISTRICTING BOARD MAY CONSIDER NECESSARY. ALL PROCEEDINGS AND**  
24 **RECORDS OF THE REDISTRICTING BOARD SHALL COMPLY WITH THE**  
25 **MARYLAND PUBLIC INFORMATION ACT AND THE ST. MARY'S COUNTY OPEN**  
26 **MEETINGS ACT, AS THESE ACTS MAY BE AMENDED FROM TIME TO TIME.**

27           **C. AFTER PRELIMINARY DISTRICT BOUNDARIES HAVE BEEN DRAWN**  
28 **AND DEFINED, THE REDISTRICTING BOARD SHALL CONDUCT AT LEAST ONE (1)**  
29 **PUBLIC HEARING IN EACH OF THE FOUR (4) PROPOSED COMMISSIONER**  
30 **DISTRICTS. NOTICE OF PUBLIC HEARINGS SHALL BE GIVEN IN ACCORDANCE**  
31 **WITH THE REQUIREMENTS FOR PUBLIC HEARINGS BY THE BOARD OF COUNTY**  
32 **COMMISSIONERS.**

33           **D. AFTER PUBLIC HEARINGS HAVE BEEN HELD, THE REDISTRICTING**  
34 **BOARD SHALL PREPARE AND SUBMIT A REDISTRICTING PLAN TO THE BOARD**  
35 **OF COUNTY COMMISSIONERS BY DECEMBER 31 OF THE YEAR IN WHICH THE**  
36 **REDISTRICTING BOARD IS CREATED.**

37           **E. SIXTY (60) DAYS AFTER SUBMISSION OF THE REDISTRICTING PLAN**  
38 **TO THE BOARD OF COUNTY COMMISSIONERS, THE PLAN SHALL BECOME THE**

1 DISTRICTS FOR THE SUBSEQUENT ELECTION OF COUNTY COMMISSIONERS IN  
2 ACCORDANCE WITH LAW.

3 F. ANY REDISTRICTING BOARD APPOINTED BEFORE OCTOBER 1,  
4 2012, SHALL BE CONCLUSIVELY PRESUMED TO HAVE BEEN LAWFULLY  
5 CONSTITUTED, AND ANY REDISTRICTING PLAN SUBMITTED TO THE BOARD OF  
6 COUNTY COMMISSIONERS BEFORE THAT DATE SHALL BE CONCLUSIVELY  
7 PRESUMED TO HAVE BECOME LAW.

8 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
9 October 1, 2012.

Approved:

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Governor.

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Speaker of the House of Delegates.

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President of the Senate.